IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.A.ABDUL GAFOOR
&
THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

WA.No. 2169 of 2006(B)

AGAINST THE JUDGEMENT/ORDER IN OP.28388/1999 Dated 07/12/2005
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APPELLANT: RESPONDENTS:
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1. KERALA STATE ELECTRICITY BOARD,
   REP. BY ITS SECRETARY, VYDHYUTHI BHAVANAM,
   PATTOM, THIRUVANANTHAPURAM.

2. SECRETARY,
   KERALA STATE ELECTRICITY BOARD, VYDHYUTHI BHAVANAM
   PATTOM, THIRUVANANTHAPURAM.

3. THE FINANCIAL ADVISOR &
   CHIEF ACCOUNTS OFFICER, KERALA STATE ELECTRICITY
   BOARD, VYDHYUTHI BHAVANAM, PATTOM,
   THIRUVANANTHAPURAM.

BY ADV. SRI.C.K.KARUNAKARAN, SC FOR KSEB

RESPONDENTS: PETITIONER:

V. JOSEPH,
VADAKKELAN HOUSE, FERRY ROAD,
MATH P.O., THRISSUR DISTRICT.

BY /

THIS WRIT APPEAL HAVE COME UP FOR ADMISSION ON 18/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.A. ABDUL GAFOOR & K.R. UDAYABHANU, JJ

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C.M. APPL. No. 1193/2006

and

W.A. NO. 2169 OF 2006B

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Dated this the 18th day of December 2006

JUDGMENT

Abdul Gafoor,J

There is a delay of 306 days in filing this appeal by the Kerala State Electricity Board. The judgment was pronounced by this court on 07.12.2005. The copy was received on 02.01.2006. The affidavit of the Assistant Executive Engineer reveals that immediately thereafter the judgment was forwarded to the Electricity Board, for examination. The affidavit further reveals that after examining the matter, the Board gave instructions to the counsel to file an appeal, long after the date due for filing the appeal and that due to intervening summer recess and change of senior counsel the appeal got inadvertently delayed and there occurred 306 days delay. This is a vague averment without giving any details as to the dates of giving instructions to the counsel, change of counsel or the appointment of the new counsel etc.

Therefore, we are not satisfied that sufficient reason is given for condoning this inordinate delay. Hence the petition for condonation for delay is dismissed. Consequently, the writ appeal also stands dismissed.

K.A. ABDUL GAFOOR, JUDGE

K.R. UDAYABHANU, JUDGE.

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